

Serial No. 10/729,202
Atty. Doc. No. 2001P07021WOUS

REMARKS

Applicant has amended claim 1 and added new claim 15. Thus, claims 1-15 are presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Rejections under Section 103:

Claims 1 stands rejected under 35 U.S.C. § 103, the Examiner contending that this claim is obvious over Sung (5,177,695) in view of Hawkes (5,973,643) and Owen (US 2003/0176984 A1). Claims 2-12 stand rejected under 35 U.S.C. § 103, the Examiner contending that these claims are unpatentable over Sung, Hawkes, and Owen, and further in view of Berger (5,920,617).

Applicant has amended independent claim 1 to recite the additional limitations that the method is for predictive diagnosis and/or maintenance and that the method additionally comprises evaluating the measuring signal for executing diagnosis and/or maintenance measures. Support for this amendments can be found in the specification page 1 lines 10-20 and page 7 line 29 to page 8 line 7 among other places. This limitation further explains and clarifies the purpose of the invention.

Sung, Hawkes, and Owen, alone or in combination, do not teach a method for predictive diagnosis and/or maintenance. Sung rather teaches a device and method for adaptive digital power control. Hawkes teaches a location system and a location method for identifying locations of emitters in a service area, especially for locating mobile cellular telephones in the service area.

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Owen teaches a signal power measurement system which can also be used for modulation and spectral measurements.

Therefore, Applicants respectfully request that the Examiner withdraw the section 103(a) rejection.

Claims 13 and 14:

Applicant appreciates Examiner's acknowledgement of allowability of claims 13 and 14.

New independent Claim 15:

New independent Claim 15 is based on previously presented Claim 13 and drops the limitation of previously presented Claim 13 that "a measuring period has a length at least equaling the order of magnitude of a period of the measuring signal if the measuring signal is an alternating period signal". The removal of this limitation is justified, because this limitation holds only if the measuring signal is an alternating period signal. Therefore this limitation does not cause any interaction or interdependency with the limitation "that a length of a measuring period is a discrete sampling instant at which a momentary value of the measuring signal is determined, the characteristic value including the determined momentary value if the measuring signal is a signal having an identical magnitude", because this limitation is only effective when the measuring signal is a signal having an identical magnitude.

Sung, Hawkes, and Owen alone or in combination, do not teach that "a length of a measuring period is a discrete sampling instant at which a momentary value of the measuring signal is determined, the characteristic value including the determined momentary value if the measuring signal is a signal having an identical magnitude".

In view of the above, Applicant respectfully submits that the new independent claim 15 is in condition for allowance and requests allowance for new independent claim 15.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, Applicants

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respectfully request that the Examiner reconsider the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d) for total independent claims in excess of 3, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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